



COUNTY OF LOS ANGELES
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ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

#18 JANUARY 24, 2012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

January 24, 2012

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**SETTLEMENT OF CONDEMNATION CASE
PEOPLE OF THE STATE OF CALIFORNIA, ACTING BY AND THROUGH
THE DEPARTMENT OF TRANSPORTATION v. COUNTY OF LOS ANGELES, ET AL.,**

SUBJECT

Recommendation to settle an eminent domain action by the State of California, Department of Transportation ("Caltrans") against the County of Los Angeles ("County") to acquire real property interests from the County along Sepulveda Boulevard at Interstate Route 405 in connection with the Interstate 405 Improvement Project ("Project").

IT IS RECOMMENDED THAT YOUR BOARD:

Authorize the Office of the County Counsel to settle the above-referenced eminent domain lawsuit by accepting total compensation in the amount of \$35,200, plus interest at the statutorily-prescribed rate, to the date of payment, and to stipulate to the interlocutory judgment and final order of condemnation, as described herein.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

A proposed settlement of this condemnation action has been reached with representatives of Caltrans and the County of Los Angeles. Your Board's authorization is required to accept the agreed compensation from Caltrans and for County Counsel to stipulate to the interlocutory judgment and final order of condemnation.

Implementation of Strategic Plan Goals

Not Applicable.

Strategic Asset Management Principles Compliance

Not Applicable.

FISCAL IMPACT/FINANCING

Caltrans will pay the District the sum of \$35,200 for the acquisition of the property interests, plus interest at the statutorily-prescribed rate, from the date of possession to the date of payment of the settlement funds.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

A public agency is authorized to acquire the property of another public agency by eminent domain if the proposed use for the property will not unreasonably interfere with or impair an existing public use.

Caltrans is acquiring fee ownership of two parcels, an easement for retaining wall foundations in two parcels, and temporary construction easements over two parcels. All of the parcels abut Sepulveda Boulevard. Caltrans needs the property interests in connection with its Interstate 405 Improvement Project.

The Chief Executive Office has negotiated the acquisition price and agrees that the proposed settlement of \$35,200 is reasonable and is fair market value for the property interests being acquired.

Caltrans will pay the District \$35,200, plus interest at the statutorily-prescribed rate, from the date of possession to the date of payment of the settlement funds. The County will grant Caltrans right of entry permits over the parcels being acquired for easement purposes.

ENVIRONMENTAL DOCUMENTATION

The settlement of this eminent domain action does not meet the definition of a project as defined in California Environmental Quality Act ("CEQA") section 21065 because it solely pertains to the amount of just compensation Caltrans will pay to the County for the compelled acquisition of the County's property interests, and as such, there is no discretionary act by the County that will cause a direct physical change or a reasonably foreseeable indirect physical change to the environment.

CONTRACTING PROCESS

Not Applicable.

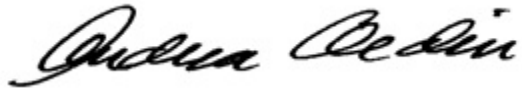
IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no impact to County's services as a result of the proposed settlement.

CONCLUSION

The proposed settlement is reasonable to both parties and is in the best interest of the County. It is requested that the Executive Officer of the Board of Supervisors return one conformed copy of this letter to the Office of the County Counsel and two copies to the Chief Executive Office, Real Estate Division.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Andrea Sheridan Ordin". The signature is fluid and cursive, with the first name "Andrea" being more prominent than the last name "Ordin".

ANDREA SHERIDAN ORDIN

County Counsel

ASO:CBS:lm

c: William T Fujioka
Chief Executive Officer

Sachi A. Hamai, Executive Officer
Board of Supervisors

Chris Montana
Chief Executive Office, Real Estate Division